

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-13 are pending. Independent claims 1 and 9-11 are hereby amended. No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. SUPPORT FOR CLAIM AMENDMENTS**

Support for these amendments may be found in, for example, paragraphs [0126]-[0127] and [0180] and of Applicants' published application, whereby:

[0126] The set switch 40 sets whether a time of imaging, patterns (types) of electronic mark text and attribute mark included in electronic mark data, GPS information as results of measurement of position, orientation and altitude of a location of imaging, etc. are to be recorded or not, and transmits a set signal SS to the data signal generator 41 as a means for generating a pattern.

[0127] The data generator 41 generates time code data DT, user data DU, electronic mark text data DM and attribute mark data DZ on the basis of the set signal SS supplied from the set switch 40. The time code data DT thus generated is held in the time code data holder 42 while being transmitted to the signal modulator 53. Also, the user data DU is held in the user data holder 43 while being transmitted to a terminal a of the signal select switch 49. The electronic mark text data DM is held in the electronic mark text data holder 45 while being transmitted to a terminal b of the signal select switch 77. The attribute mark data

DZ is held in the attribute mark data holder 78 while being transmitted to the terminal a of the signal select switch 77.

[0180] When attribute mark data as scene ID for identification of a video scene and a mode in which electronic mark text data related with a video content such as date of imaging, location of imaging, etc. are to be described (recorded) are selected by operating the set switch 40, the data signal generator 41 will generate attribute mark data DZ and electronic mark text data DM on the basis of a position information signal from a GPS unit (not shown) included in the data signal generator 41 or the like.

### III. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-11 and 13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application No. 2001/0031131 to Fukai et al. (hereinafter, merely “*Fukai*”) in view of U.S. Patent No. 7,110,025 to Loui et al. (hereinafter, merely “*Loui*”).

Also, dependant claim 12 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Fukai* in view of *Loui* and further in view of U.K. Patent Application GB 2361130 to David et al. (hereinafter, merely “*David*”).

Applicants respectfully traverse these rejections for at least the following reasons:

Claim 1, as amended, recites, *inter alia*:

“A video content editing support system comprising:

a recorder to describe electronic mark data related to video content data in the video content data;

... wherein the electronic mark data includes attribute mark data and the electronic mark text data linked to each other, the attribute mark data identifying video scenes included in the video content data, and **when, at an imaging device, the attribute mark data including a scene ID for identifying video scenes and a mode associated with the electronic mark text data relating to an imaging location of the video content data are selected, the attribute mark data and the electronic mark text data are generated on the basis of position information from a Global**

**Positioning System associated with the imaging device.**” (Emphasis added)

Neither *Fukai* nor *Loui*, taken alone or in combination, disclose or suggest “attribute mark data and the electronic mark text data linked to each other,” whereby “when, at an imaging device, the attribute mark data including a scene ID for identifying video scenes and a mode associated with the electronic mark text data relating to an imaging location of the video content data are selected, the attribute mark data and the electronic mark text data are generated on the basis of position information from a Global Positioning System associated with the imaging device [.]” as recited in claim 1.

Therefore, Applicants respectfully submit that claim 1 is patentable. For reasons similar to those described above with regard to independent claim 1, independent claims 9-11 are also patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### **CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the

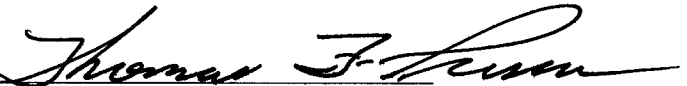
Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By 

Thomas F. Presson  
Reg. No. 41,442  
Ph: (212) 588-0800  
Fax: (212) 588-0500